

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION-DETROIT**

**IN RE:**

**Dakota & Sarah Herzberg,  
Debtors**

**Case No. 16-43422  
Honorable Shefferly  
Chapter 13**

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**ORDER CONFIRMING PLAN**

The Debtor's Chapter 13 plan was duly served on all parties in interest. A hearing on confirmation of the plan was held after due notice to parties in interest. Objections, if any, have been resolved. The Court hereby finds that each of the requirements for confirmation of a Chapter 13 plan pursuant to 11 U.S.C. §1325(a) are met.

Therefore,

IT IS HEREBY ORDERED that the Debtor's Chapter 13 plan, as last modified, if at all, is confirmed.

**IT IS FURTHER ORDERED that the claim of attorney for the Debtor, for the allowance of compensation and reimbursement of expenses is allowed in the total amount of Fee Application in fees and Fee Application expenses, and that the portion of such claim which has not already been paid, to-wit: Fee Application to be paid by the Trustee as an administrative expense of this case.**

IT IS FURTHER ORDERED that the Debtor shall maintain all policies of insurance on all property of the Debtor and this estate as required by law and contract.

All filed claims to which an objection has not been filed are deemed allowed pursuant to 11 U.S.C. §502(a), and the Trustee is therefore ORDERED to make distributions on these claims pursuant to the terms of the Chapter 13 plan, as well as all fees due the Clerk pursuant to statute.

IT IS FURTHER ORDERED:

1. Debtors may retain Federal tax refunds up the amount prorated on Schedule I.
2. Debtors shall file amended Schedules I and J and provide income verification within 30 days of any change to their income.
3. Debtors reject the lease with Scio Farms Estates and shall vacate the property no later than July 15, 2016. The automatic stay shall terminate after July 15, 2016 as to Creditor, Scio Farms Estates. Further, if Debtors have failed to vacate by July 15, 2016, this Order shall act as an expired Notice to Quit under MCL 600.5714 allowing Creditor to proceed with all available remedies under Michigan law to recover possession of the manufactured home and the real property. Creditor may file an unsecured Proof of Claim for all pre and post-petition balances due under the rental of the manufactured home and real property.

4. In the event that Debtor fail(s) to make any future Chapter 13 plan payments, the Trustee may submit a notice of default, served upon Debtor and Debtor's counsel and permitting 30 days from the service of the notice in which to cure any and all defaults in payments. If Debtor fail(s) to cure the defaults in payments after having been provided notice under the provisions of this order, then the Trustee may submit an Order of Dismissal to the Bankruptcy Court along with an affidavit attesting to a failure to make plan payments, and the proceedings may be thereafter dismissed without a further hearing, or notice.

5. Debtors will file an amended Voluntary Petition as to Debtors address within 14 days of entry of this order.

/s/Krispen S Carroll

**Krispen Carroll, Esq.**

**Chapter 13 Trustee**

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Detroit, Michigan 48226

313-962-5035

/s/ Michelle Marrs

**Michelle Marrs, Esq.**

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**Signed on August 06, 2016**

/s/ Phillip J. Shefferly

**Phillip J. Shefferly**

**United States Bankruptcy Judge**